

**22582. Misbranding of Bika Remedies (Zenar Nos. 3, 19, 18, 26, 15, 8, 24, 21, 5, 4) Ol de Vita, Vita Salve, Hydropin, Insipin, Parcholin, Herz Tabletter, Viripan, Lymphin Masc., Lymphin Fem., Osteon Masc., Osteon Fem. U. S. v. Eugene Hessel (Bika Biochemical Laboratories). Plea of guilty. Fine, \$25. (F. & D. no. 30213. Sample nos. 918-A, 920-A to 925-A, incl., 1116-A to 1119-A, incl., 1121-A to 1124-A, incl., 1163-A, 1164-A, 13601-A to 13604-A, incl.)**

Examination of the various drug preparations on which this case was based showed that they contained no ingredients or combinations of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling. Bacteriological tests of one of the products, Ol de Vita, showed that it was not a bactericide as claimed on the label.

On December 15, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Eugene Hessel, trading as the Bika Biochemical Laboratories, Philadelphia, Pa., alleging that the said defendant had shipped on or about February 26, 1931, and subsequently thereto up to and including some time in July 1932, various Bika Remedies which were misbranded in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Zenar No. 3 Remedy for Women's diseases"; "Zenar No. 19, Glands and Goiter Remedy"; "Zenar No. 18, Heart Remedy"; "Zenar No. 26 Diabetes Remedy"; "Zenar No. 15 Hardening of Arteries Remedy"; "Zenar No. 8 Rheumatism and Arthritis Remedy"; "Zenar 24 Whooping Cough Remedy"; "Zenar No. 21 Weak Nerves (impotency) Remedy"; "Zenar No. 5 Pulmonary and Lung Remedy"; "Zenar No. 4 Kidney, Nerve and Bladder Remedy"; "Ol de Vita (Int. known as Po-Ho-Oil)"; "Vita Salve"; "Hydropin"; "Insipin"; "Parcholin"; "Herz-Tabletter" (Tr. "Heart Tablets"); "Viripan"; "Lymphin Masc."; "Lymphin Fem."; "Osteon Masc."; "Osteon Fem." The products were further labeled: "Bika Chem. Pharm. Fabrik Stuttgart"; "Bika Disp. Laboratory Phila., Pa. U. S. A. Stuttgart, Berlin, Hamburg, Germany"; or "Bika Laboratory, Philadelphia, Pa."

Analyses of samples of the article by this Department showed that the Zenar No. 24 Whooping Cough Remedy contained mainly milk sugar with small proportions of extracts of plant drugs, sulphur (approximately 0.3 percent), and other inorganic material including magnesium, sodium, and potassium phosphates and sulphates (0.2 percent); that Zenar No. 26 Diabetes Remedy contained principally milk sugar with a trace of sulphur (0.03 percent) and small proportions of other inorganic material, including sodium, potassium, and calcium sulphates and phosphates (0.3 percent), and a trace of an arsenic compound; that Zenar No. 3 Remedy for Women's Diseases contained principally milk sugar with a trace of sulphur (0.02 percent) and other inorganic material, including sodium, potassium, calcium, and iron sulphates and phosphates (0.2 percent.); that Zenar No. 19 Glands and Goiter Remedy contained principally milk sugar with a trace of sulphur (0.03 percent.), and traces of other inorganic substances including sodium, potassium, and barium phosphates (0.1 percent); that Zenar No. 18 Heart Remedy consisted essentially of milk sugar, a trace of sulphur (0.3 percent), small proportions of other inorganic substances including sodium, potassium, and calcium phosphates (0.1 percent), and a trace of an arsenic compound; that Zenar No. 15 Hardening of Arteries Remedy consisted essentially of milk sugar, a trace of sulphur (0.2 percent), small proportions of other inorganic material, including sodium, potassium, calcium, and iron phosphates and a trace of a manganese compound; that Zenar No. 8 Rheumatism and Arthritis Remedy consisted essentially of milk sugar, a trace of sulphur (0.04 percent), and small proportions of other inorganic material including sodium, potassium, and iron sulphates and phosphates (0.17 percent); that Ol de Vita consisted essentially of volatile oils, including 44.1 percent of menthol; that Hydropin consisted essentially of milk sugar, a small proportion of organic nitrogenous material, ground plant material, inorganic salts (approximately 2.6 percent) including calcium phosphate, traces of potassium, sodium, iron, and manganese chlorides and sulphates, and an insoluble silicate such as talc.; that Insipin consisted essentially of milk sugar, small proportions of organic nitrogenous material, sodium chloride (8.25 percent), and small proportions of compounds of potassium, iron, calcium, magnesium, phosphorus, sulphur, and silica; that Zenar No. 21 Weak Nerves (Impotency) Remedy consisted essentially of milk sugar, with a trace of sulphur (0.03 percent) and small proportions of other inorganic material, including calcium phosphate (0.15 percent) and a trace of a silver compound; that Parcholin consisted essentially of milk sugar, starch,

ground plant material, a small proportion of organic nitrogenous material, and 1.1 percent of inorganic material including iron and magnesium phosphates, and traces of sodium, potassium, calcium, and manganese sulphates and phosphates, and an insoluble silicate; that Zenar No. 4 Kidney, Nerve and Bladder Remedy consisted essentially of milk sugar, a trace of sulphur (0.02 percent), and small proportions of other inorganic material including potassium, calcium, and iron phosphates (0.25 percent); that Vita Salve consisted essentially of petrolatum, paraffin, and 21.4 percent of volatile oils including peppermint oil and methyl salicylate; that Heart Tablets contained essentially milk sugar, small proportions of calcium phosphate and chlorides and traces of sodium, potassium, and iron compounds; that Viripin contained essentially milk sugar, small proportions of calcium phosphate and chlorides and traces of sodium, potassium, and iron compounds; that Lymphin Masc. contained essentially milk sugar, starch, ground plant material, a small proportion of organic nitrogenous material, and 1.4 percent of inorganic material including iron, calcium, sodium, potassium and magnesium phosphates, sulphates, and chlorides; that Lymphin Fem. consisted essentially of milk sugar, starch, ground plant material, a small proportion of organic nitrogenous material and 0.6 percent of inorganic material including calcium, potassium, sodium, iron and magnesium phosphates, chlorides, and sulphates; that Osteon Masc. consisted essentially of milk sugar, starch, a small proportion of organic nitrogenous material, ground plant material, and 2.8 percent of inorganic material, including an insoluble silicate such as talc, calcium phosphate, potassium, sodium, magnesium, iron and manganese sulphates, and chlorides; that Osteon Fem. consisted essentially of milk sugar, starch, a small proportion of an organic nitrogenous material, ground plant material and 3.6 percent of inorganic material including an insoluble silicate such as talc, calcium phosphate, and small proportions of potassium, sodium, magnesium, iron and manganese sulphates, and chlorides; that Zenar No. 5 Pulmonary and Lung Remedy consisted essentially of milk sugar, a trace of sulphur (0.03 percent), and small proportions of other inorganic material including calcium, magnesium, sodium, potassium and iron sulphates, carbonates, phosphates, and chlorides (0.3 percent).

It was alleged in the information that the various Zenar remedies were misbranded in that they were falsely and fraudulently represented to be remedies, respectively, for women's diseases, affections of the glands and goiter, ailments of the heart, diabetes, hardening of the arteries, rheumatism and arthritis, whooping cough, weak nerves (impotence), pulmonary or lung ailments, and kidney, nerve, and bladder ailments.

Misbranding of the remaining products was alleged for the reason that certain statements, designs, and devices appearing in the labeling, regarding their curative and therapeutic effects, falsely and fraudulently represented that they were effective (Ol de Vita) to relieve and conquer rheumatic conditions; and effective as a remedy for various types of pain caused by earache, toothache, dislocations, indigestion, and muscular rheumatic conditions; and effective as a remedy for eruptions of the skin; and effective as a tonic for nervousness, chronic weak nerves, and sleeplessness; and effective as a recuperative in cases of mental and bodily exhaustion; and effective when used in connection with olive oil to dissolve gallstones and to neutralize uric acid blood content; and effective as a wash in promoting health of mouth and teeth and in perfecting the health and beauty of the features; and effective to promote healthy hair growth, to sometimes eliminate hemorrhoids (piles) and to combat diseases of animals and fowls; and effective as the most effective remedy in emergency and chronic cases; (Vita Salve) as a remedy for many ailments; and effective as a healing salve; and effective as a treatment, remedy and cure for skin eruptions and rheumatism; (Hydropin) as a remedy for dropsy; and effective as an effective remedy to which all types of dropsy respond; and effective to react favorably upon the circulation and evacuation system and to exert a radical change toward normalizing the circulatory system away from the tendency of dropsical production; and effective as a remedy for all forms of exudate and transsudate (when high blood pressure is not present), pleuritis, pericarditis, peritonitis, the various forms of ascites, dropsy of the joints, and all other forms of dropsy; and effective as exudative, diathesis, and hydremia; and effective to directly influence the excretory glands, to restore the equal balance of hormone production and encourage uninterrupted hormone production in normal, minute quantities acceptable to the blood stream; and effective to encourage and stimulate affected glands into normal production and to insure an

established permanent hormone balance; (Insipin) as a direct remedy and cure for diabetes; and effective to stimulate and correct deficient glands into normal activity, to build a normal water retention in the body cells, to restore vigor to the weakened body organism, and to check the too-free water evacuation of the kidneys; and effective to tone the organs and restore the glands to normal ability; and effective to conquer dermatone and effective to directly influence the excretory glands and to restore the health's balance; and to encourage uninterrupted hormone production in normal minute quantities, acceptable to the blood stream; and effective to encourage and stimulate affected glands into normal productivity and to insure an established permanent hormone balance; (Parcholin) as a safe and reliable remedy to reduce high blood pressure; and effective to exert a restraining influence upon the too-free manufacturing of hormones in the kidney region; and effective as a treatment, remedy, and cure for high blood-pressure conditions, irrespective of the particular cause or governing conditions; and effective to encourage sluggish bowel movement into normal activity to the extent of restoring to normal a paralysis of the bowel condition; and effective as a treatment, remedy, and cure for high blood-pressure types due to various causes, and sluggish bowels; and effective to directly influence the excretory glands in the event of an under or over production of hormones; and effective to restore the health's balance; and effective to restore the equal balance of hormone production and to encourage uninterrupted hormone production in normal minute quantities acceptable to the blood stream; and effective to encourage and stimulate affected glands into normal productivity and to establish a permanent hormone balance; (Herz-Tablet, Heart Tablets) as a treatment, remedy, and cure for heart ailments; and effective to stimulate and strengthen the heart; (Viripan) as a strengthening remedy for men against premature relaxing and exhaustion of the organs; and effective as an effective remedy in nervous disorders; (Lymphin Masc. and Fem.) as a treatment for the constitutionally weak and the lymphically inclined patient incapable of resisting the assaults of stress or disease; and effective as a remedy to overcome the disturbances in the normal functioning of the thymus, germinative and hypophyse glands; and effective to reach many disturbances of the body and intellect in the aged; and effective as a treatment, remedy, and cure for lymphatic constitution, lymphatic anemia, goiter (protruding eyeball type, accompanied by trembling, rapid heart action), scrofula, and weakness of old age; and effective to restore equal balance of hormone production and to encourage uninterrupted hormone production in normal minute quantities acceptable to the blood stream; and effective to encourage and stimulate effective glands to normal productivity and to assure an established permanent hormone balance; (Osteon Masc. and Fem.) as a treatment, remedy, and cure for rickets, stunted growth, atrophy, scrofula, and faulty digestion; and effective to directly influence the excretory glands in the event of an under production of hormones; and effective to restore health balance and to encourage uninterrupted hormone production in normal, minute quantities acceptable to the blood stream; and to encourage and stimulate affected glands into normal productivity and to insure and establish permanent hormone balance.

Misbranding of the Ol de Vita was alleged for the further reason that the statement, "Properties: destroys cold and catarrhal pus bacilli when taken internally—10 to 20 drops in tablespoonful water, twice daily", borne on the wrappers and bottle labels, was false and misleading, since the said statement represented that the article was a bactericide, whereas it was not a bactericide.

On May 22, 1934, the defendant entered a plea of guilty, and the court imposed a fine of \$25.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22583. Misbranding of Griscom's Family Liniment. U. S. v. Steelman & Archer, Inc. Plea of guilty. Fine, \$25. (F. & D. no. 30284. Sample no. 8180-A.)**

Examination of the drug product involved in this case showed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On November 17, 1933, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Steelman & Archer, Inc., trading at Philadelphia, Pa., alleging shipment by said company, in violation of the